who sued to quiet title. The defendant claimed through the husband. By statute either spouse may sue the other to recover his or her separate property, and the accumulations of a wife are her separate property. *Held*, that the wife had gained title by adverse possession. *Union Oil Co.* v. *Stewart*, 110 Pac. 313 (Cal., Sup. Ct.).

Owing to the identity of interests and submersion of the wife's rights such a result would be entirely foreign to early common-law principles. Yet two jurisdictions hold that, the husband acquiescing, a wife may gain title by adverse possession without the aid of statutes. *Hartman* v. *Nettles*, 64 Miss. 495; *McPherson* v. *McPherson*, 75 Neb. 830. Others take the contrary view, since the land is jointly occupied and the husband remains the head of the family. *First National Bank of Santa Barbara* v. *Guerra*, 61 Cal. 109. But under a statute allowing the wife separate property, and a right to sue and be sued, she may recover from the husband for use and occupation of her land. *Skinner* v. *Skinner*, 38 Neb. 756. So title by adverse possession may be acquired where the parties are living apart under a void decree of divorce. *Warr* v. *Honeck*, 8 Utah 61. And without legislative enactment one state, at least, has relieved the wife of all marital disabilities on desertion by the husband. *Love* v. *Moynehan*, 16 Ill. 277. Such is the general rule when the husband abjures the realm. *Gregory* v. *Pierce*, 4 Met. (Mass.) 478. Since the basis of the rule as to disabilities disappears on abandonment by the husband, the principal case marks a justifiable step in the recognition of equal rights.

BANKRUPTCY — INVOLUNTARY PROCEEDINGS — WHEN DEBTOR MUST OWE $1000. — An insolvent debtor owing over $4000 made a general assignment, assented to by some of his creditors. The other creditors, whose claims aggregated less than $1000, filed a petition to have him adjudged a bankrupt. The Bankruptcy Act of 1898, § 46, provides that "any natural person except a wage earner or person engaged chiefly in farming . . . owing debts to the amount of one thousand dollars or over may be adjudged an involuntary bankrupt." *Held*, that the petition should be granted. *In re Jacobson*, 181 Fed. 870 (Dist. Ct., D. Mass.).

Courts have generally held that the time when one must be engaged in one of the excepted occupations, in order to be exempt, is the date of the creditors' petition. *In re Interstate Paving Co.*, 171 Fed. 604. Hence this should also be the time when $1000 must be owed, the two clauses in the same sentence offering no ground for distinction. Yet if courts adhered strictly to this requirement, the debtor would be enabled to settle with some creditors and leave the rest without remedy. In straining to avoid this result it has been held that voidable preferences are included among the creditors' debts at the time of the petition because they can be recovered by the trustee. *In re McMurtrey & Smith*, 142 Fed. 853. Yet such an assumption of the basis for bankruptcy is reasoning in a circle. Where a debtor, to avoid bankruptcy, goes into one of the exempt occupations, courts have made a judicial exception to the terms of the statute and refused him protection. *Tiffany* v. *La Plume Condensed Milk Co.*, 141 Fed. 444. See 23 HARV. L. REV. 393. Unfortunately there is equal necessity for judicial legislation in the case of preferences, and the principal case will undoubtedly be followed.

BANKRUPTCY — PROPERTY PASSING TO TRUSTEE — LIFE INSURANCE POLICIES. — A bankrupt had policies of insurance on his life payable to his executors, administrators, or assigns, on which the insurance company had a valid lien for a greater amount than their cash surrender value. The Bankruptcy Act, § 70 a (5), provides "that when any bankrupt shall have any insurance policy which has a cash surrender value payable to himself, his estate, or personal representatives, he may, within thirty days after the cash surrender value has